

## § 36.9

## 14 CFR Ch. I (1–1–11 Edition)

addition to the provisions of paragraph (b) of this section:

(1) If compliance with Stage 3 noise levels is not required before the change in type design, the airplane must—

(i) Be a Stage 2 airplane after the change in type design and compliance must be shown under the provisions of paragraph (d)(1) or (d)(2) of this section, as appropriate; or

(ii) Remain a Stage 3 airplane after the change in type design. Compliance must be shown under the provisions of paragraph (e)(2) of this section.

(2) If compliance with Stage 3 noise levels is required before the change in type design, the airplane must be a Stage 3 airplane after the change in type design.

(3) Applications on or after [August 14, 1989.] The airplane must remain a Stage 3 airplane after the change in type design.

(4) If an airplane is a Stage 3 airplane prior to a change in type design, and becomes a Stage 4 after the change in type design, the airplane must remain a Stage 4 airplane.

(f) *Stage 4 airplanes.* If an airplane is a Stage 4 airplane prior to a change in type design, the airplane must remain a Stage 4 airplane after the change in type design.

[Amdt. 36-7, 42 FR 12371, Mar. 3, 1977; Amdt. 36-8, 43 FR 8730, Mar. 2, 1978; Amdt. 36-10, 43 FR 28420, June 29, 1978; Amdt. 36-12, 46 FR 33464, June 29, 1981; Amdt. 36-15, 53 FR 16366, May 6, 1988; 53 FR 18950, May 25, 1988; Amdt. 36-17, 54 FR 21042, May 15, 1989; Amdt. 36-54, 67 FR 45212, July 8, 2002; Amdt. 36-26, 70 FR 38749, July 5, 2005]

### **§ 36.9 Acoustical change: Propeller-driven small airplanes and propeller-driven commuter category airplanes.**

For propeller-driven small airplanes in the primary, normal, utility, acrobatic, transport, and restricted categories and for propeller-driven, commuter category airplanes for which an acoustical change approval is applied for under § 21.93(b) of this chapter after January 1, 1975, the following apply:

(a) If the airplane was type certificated under this part prior to a change in type design, it may not subsequently exceed the noise limits specified in § 36.501 of this part.

(b) If the airplane was not type certificated under this part prior to a change in type design, it may not exceed the higher of the two following values:

(1) The noise limit specified in § 36.501 of this part, or

(2) The noise level created prior to the change in type design, measured and corrected as prescribed in § 36.501 of this part.

[Amdt. 36-16, 53 FR 47400, Nov. 22, 1988; 53 FR 50157, Dec. 13, 1988; Amdt. 36-19, 57 FR 41369, Sept. 9, 1992]

### **§ 36.11 Acoustical change: Helicopters.**

This section applies to all helicopters in the primary, normal, transport, and restricted categories for which an acoustical change approval is applied for under § 21.93(b) of this chapter on or after March 6, 1986. Compliance with the requirements of this section must be demonstrated under appendix H of this part, or, for helicopters having a maximum certificated takeoff weight of not more than 7,000 pounds, compliance with this section may be demonstrated under appendix J of this part.

(a) *General requirements.* Except as otherwise provided, for helicopters covered by this section, the acoustical change approval requirements are as follows:

(1) In showing compliance with the requirements of appendix H of this part, noise levels must be measured, evaluated, and calculated in accordance with the applicable procedures and conditions prescribed in parts B and C of appendix H of this part. For helicopters having a maximum certificated takeoff weight of not more than 7,000 pounds that alternatively demonstrate compliance under appendix J of this part, the flyover noise level prescribed in appendix J of this part must be measured, evaluated, and calculated in accordance with the applicable procedures and conditions prescribed in parts B and C of appendix J of this part.

(2) Compliance with the noise limits prescribed in section H36.305 of appendix H of this part must be shown in accordance with the applicable provisions of part D of appendix H of this part. For those helicopters that demonstrate